

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CLAYTON THOMAS,
Petitioner

v.

BEN VARNER, et al.,
Respondents

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CIVIL ACTION

NO. 02-CV-4778

ORDER

AND NOW, this day of June, 2003, it is **ORDERED** that Respondents'
"Motion for Enlargement of Time to File Objections to the Report and Recommendation of
Magistrate Judge Charles B. Smith" (docket no. 22) is **DENIED** as premature.¹

BY THE COURT:

BRUCE W. KAUFFMAN, J.

¹ Although on June 10, 2003, Magistrate Judge Smith issued a Memorandum and Order scheduling an evidentiary hearing on one of Petitioner's claims, he has not yet issued a Report and Recommendation in the above-captioned matter. Accordingly, there is nothing before the Court to which Respondents may object.